

Message Text

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45

ACTION L-03

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NSC-05 CIEP-02 SS-15 STR-04 OMB-01 CEA-01 USIE-00

DODE-00 PM-04 H-02 PA-02 PRS-01 /078 W

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FM AMEMBASSY JIDDA

TO SECSTATE WASHDC IMMEDIATE 3516

INFO US DEPT OF TREASURY WASHDC IMMEDIATE

USDOC WASHDC IMMEDIATE

AMCONSUL DHAHRAN

UNCLAS JIDDA 0683

E.O. 11652: N/A

TAGS: ETRD, BEXP, SA, US

SUBJECT: ARAB BOYCOTT LEGISLATION AND REGULATIONS

REF (A) STATE 019329, (B) JIDDA 00485

EMBASSY HEREBY TRANSMITS THE TEXT, FREELY TRANSLATED, OF
ROYAL DECREE NO. 28 DATED 25/6/1382 HEGIRA (1962). EMBASSY
UNDERSTANDS THAT DECREE NO. 28 IS THE "BASIC BOYCOTT
LEGISLATION.

BEGIN QUOTE:

ROYAL DECREE

NO. 28 DATED 25/6/1382H

WITH THE HELP OF GOD,

WE, SAUD BIN ABD AL-AZIZ AL SAUD, SOVEREIGN
OF THE KINGDOM OF SAUDI ARABIA, AFTER PERSUAL
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OF ARTICLE 19 OF THE COUNCIL OF MINISTERS'

REGULATION ISSUED BY ROYAL DECREE NO. 38 OF
22/10/1377H,
AND BY VIRTUE OF THE COUNCIL OF MINISTERS' DECISION
NO. 312 DATED 21/6/1382H,
AND BASED ON WHAT WAS SUBMITTED TO US BY THE PRIME
MINISTER, ORDAIN AS FOLLOWS:

FIRST ENDORSEMENT OF ISRAEL BOYCOTT ORDINANCE IN THE
ENCLOSED TEXT.

SECOND: THE PRIME MINISTER AND CABINET MINISTERS, EACH
IN HIS OWN JURISDICTION, SHALL CARRY OUT THIS
DECREE.

SAUD

DECISION NO. 213
DATED 21/6/1382H

THE COUNCIL OF MINISTERS,

AFTER PERSUAL OF PAPERS RECEIVED FROM THE OFFICE OF
PRESIDENCY OF THE COUNCIL OF MINISTERS UNDER NO. 21304
DATED 7/11/81H PERTAINING TO DRAFT INSTRUCTION OF ISRAEL
REGIONAL BOYCOTT OFFICE AND DRAFT OF ISRAEL BOYCOTT CON-
SOLIDATED ORDINANCE VISAGED BY THE KINGDOM, AND AT THE
RECOMMENDATION OF THE REGULATIONS COMMITTEE NO. 40 OF 9/3/
1382H, DECIDES AS FOLLOWS:

1 - ENDORSEMENT OF ISRAEL'S BOYCOTT ORDINANCE
IN THE ATTACHED TEXT.

2 - FORMULATION OF A PERTINENT ROYAL DECREE, WHICH
TEXT IS ENCLOSED.

3 - RATIFICATION OF THE INSTRUCTIONS OF ISRAEL'S
REGIONAL BOYCOTT OFFICE ACCORDING TO THE
ATTACHED TEXT.

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FAISAL
PRIME MINISTER

ISRAEL BOYCOTT ORDINANCE

ARTICLE 1

A. NO NATURAL OR LEGAL PERSON SHALL BE ALLOWED TO CONCLUDE DIRECTLY OR INDIRECTLY AN ACCORD WITH CORPORATIONS OR INDIVIDUALS RESIDENT IN ISRAEL, ATTACHED TO HER BY NATIONALITY, OR WORKING FOR HER ACCOUNT OR INTEREST, WHEREVER THEY LIVE, AND WHEN SUCH AGREEMENT INVOLVES COMMERCIAL OR FINANCIAL TRANSACTIONS, OR ANY OTHER DEAL IRRESPECTIVE OF ITS NATURE.

B. DOMESTIC AND FOREIGN COMPANIES AND ESTABLISHMENTS WITH OFFICES, BRANCHES, OR GENERAL AGENCIES IN ISRAEL SHALL BE REGARDED AS BANNED CORPORATIONS AND INDIVIDUALS IN ACCORDANCE WITH THE PREVIOUS ARTICLE AS DECIDED BY

THE COUNCIL OF MINISTERS OR THE DESIGNATED AUTHORITY THEREOF PURSUANT TO THE RECOMMENDATIONS OF THE LIAISON OFFICERS' CONFERENCE.

ARTICLE 2

A. IMPORTATION, EXCHANGE, AND TRADING IN ISRAELI GOODS, COMMODITIES, AND PRODUCTS OF VARIOUS KINDS, AND IN ISRAELI STOCKS AND OTHER MOVABLES SHALL BE BANNED.

B. GOODS AND COMMODITIES MANUFACTURED IN ISRAEL, OR WHOSE PARTS OR COMPONENTS - NO MATTER OF PERCENTAGE - ARE ISRAELI PRODUCTS OF VARIOUS KINDS, SHALL BE CONSIDERED ISRAELI, WHETHER IMPORTED DIRECTLY OR INDIRECTLY FROM ISRAEL.

C. COMMODITIES AND PRODUCTS RE-SHIPED FROM ISRAEL, OR THOSE MANUFACTURED OUTSIDE ISRAEL AND MEANT FOR EXPORTATION FOR HER ACCOUNT OR FOR THE ACCOUNT OF ANY OF THE PERSONS OR ORGANIZATIONS SET FORTH IN ARTICLE 1,
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SHALL BE CONSIDERED ISRAELI GOODS.

ARTICLE 3

IN CASES WHERE A DIRECTIVE ISSUED BY THE MINISTER OF COMMERCE & INDUSTRY SO DESIGNATES, THE IMPORTER SHALL PRESENT A CERTIFICATE OF ORIGIN TO INCLUDE THE FOLLOWING INFORMATION:

A. NAME OF COUNTRY WHERE THE GOODS WERE MANUFACTURED.
B. THAT NO ISRAELI PRODUCTS OF ANY PERCENTAGE FORM ANY PART OF THE SUBJECT GOODS.

ARTICLE 4

THE COMPETENT AUTHORITIES - DESIGNATED BY A DIRECTIVE FROM THE MINISTRY OF COMMERCE & INDUSTRY - SHALL TAKE THE NECESSARY MEASURE TO PROHIBIT THE EXPORTATION OF GOODS AS DEFINED BY THE LIAISON OFFICERS' CONFERENCE TO FOREIGN COUNTRIES ASCERTAINED TO BE RE-EXPORTING SUCH GOODS TO ISRAEL.

ARTICLE 5

PROVISIONS CONTAINED IN ARTICLES 2, 3, AND 4 SHALL APPLY TO GOODS ENTERING FREE ZONES IN THE KINGDOM, OR LEAVING THOS ZONES. LIKEWISE, THESE PROVISIONS SHALL BE

APPLICABLE TO COMMODITIES OFF-LOADED IN THE KINGDOM OR TRANSITING ITS TERRITORIES FOR RE-EXPORTATION TO ISRAEL OR TO ANY OF THE PERSONS OR ORGANIZATIONS RESIDENT IN ISRAEL, WITHOUT PREJUDICE TO THE PROVISIONS OF INTERNATIONAL CONVENTIONS TO WHICH SAUDI ARABIA IS A PARTY.

ARTICLE 6

GOODS, COMMODITIES, AND PRODUCTS SET FORTH IN ARTICLE 2 SHALL NOT BE DISPLAYED, SOLD, PURCHASED, OR POSSESSED. IN THE ENFORCEMENT OF PROVISIONS OF THIS ARTICLE, ANY TRANSACTION CONCLUDED BY WAY OF CONTRIBUTION OR COMPENSATION SHALL BE REGARDED AS SALE AND PURCHASE.
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ARTICLE 7

A. VIOLATORS OF PROVISIONS OF ARTICLES 1, 2, AND 5 SHALL RECEIVE IMPRISONMENT SENTENCES RANGING FROM THREE MINIMUM TO TEN YEARS MAXIMUM, IN ADDITION TO A FINE OF NOT LESS THAN FIVE THOUSAND AND NOT MORE THAN FIFTY THOUSAND RIYALS.

B. VIOLATORS OF ARTICLE 3 OR 6 SHALL BE SENTENCED TO A MINIMUM OF THREE MONTHS AND TO A MAXIMUM OF THREE YEARS IMPRISONMENT, AND TO A FINE OF NOT LESS THAN 500 AND NOT MORE THAN 5,000 RIYALS, OR TO ONE OF EITHER PENALTIES.

C. SHOULD THE CULPRIT OF ONE OF THE FORMER OFFENCES BE A JURISTIC PERSON, FINANCIAL PENALTY SHALL BE INFLICTED ON HIM WHILE HIS ACCESSORIES SHALL RECEIVE PHYSICAL PENALTY.

D. IN ALL CASES, SEIZED MATERIAL SHALL BE CONFISCATED. ALSO THE MEANS OF TRANSPORTATION USED IN SUCH OFFENSES SHALL BE CONFISCATED IF OWNERS WERE AWARE OF INVOLVEMENT.

ARTICLE 8

SHOULD ONE OF SEVERAL CULPRITS TO SUCH OFFENCES ELECT TO INFORM THE GOVERNMENT ABOUT THE REST OF THE ACCESSORIES, THE THING WHICH RESULTS IN UNCOVERING THE OFFENSE, HE SHALL BE RELIEVED FROM PENALTIES PROVIDED FOR IN ARTICLE 7 -- EXCEPT FOR CONFISCATION.

ARTICLE 9

A. A SUMMARY OF ANY CONVICTION PASSED IN ENFORCEMENT OF THIS ORDINANCE SHALL BE PUBLISHED IN LOCAL NEWSPAPERS AT THE EXPENSE OF THE CONVICT, AND ALSO - AT HIS OWN EXPENSE- SHALL BE DISPLAYED IN BIG LETTERS AT THE FACADE OF HIS OFFICE, FACTORY, STORE, OR ANY OTHER WORKING PLACE FOR THREE MONTHS.

B. REMOVAL CONCEALMENT BY ANY MEANS, OR DESTRUCTION OF THIS SUMMARY SHALL SEND PERPERTRATOR TO NO MORE THAN THREE UNCLASSIFIED

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MONTHS IMPRISONMENT, AND TO A FINE NOT EXCEEDING TWO HUNDRED RIYALS, OR TO EITHER ONE OF THESE TWO PENALTIES.

ARTICLE 10

EACH PERSON, BE HE A CIVIL SERVANT OR ELSE, WHO HAS SEIZED OR FACILITATED THE SEIZURE OF THE PROHIBITED MATERIAL UNDER THIS ORDINANCE SHALL RECEIVE, ADMINISTRATIVELY, A FINANCIAL REWARD EQUAL TO 20 PERCENT OF THE VALUE OF CONFISCATED ITEMS. SHOULD MORE THAN ONE PERSON DESERVE THE REWARD, IT WILL BE DIVIDED AMONG THEM IN THE PROPORTION OF INDIVIDUAL EFFORT BY A DIRECTIVE FROM THE MINISTRY OF COMMERCE & INDUSTRY.

ARTICLE 11

A. EMPLOYEES DESIGNATED BY MINISTERS OF COMMERCE AND INDUSTRY, FINANCE AND NATIONAL ECONOMY, DEFENSE AND AVIATION, AND INTERIOR SHALL CONTROL AND VERIFY OFFENSES UNDER THIS ORDINANCE AND EXECUTIVE DECISIONS.

B. THE MINISTRY OF COMMERCE & INDUSTRY - FOLLOWING SEIZURE AND VERIFICATION OF OFFENSES - SHALL BE RESPONSIBLE FOR REFERRING CASES TO THE COMPETENT BOARD FOR RELEVANT RULINGS.

ARTICLE 12

A. OFFENSES PROVIDED FOR UNDER THIS ORDINANCE SHALL BE

REFERRED TO A BOARD COMPRISING:

- 1 - PRESIDENT OF THE GRIEVANCES BUREAU OR DEPUTY
AS CHAIRMAN
- 2 - LEGAL ADVISER FROM THE GRIEVANCES BUREAU
- 3 - LEGAL ADVISER FROM THE COUNCIL OF MINISTERS

B. THE BOARD'S DECISIONS SHALL BECOME VALID ONLY AFTER
ENDORSEMENT BY THE PRIME MINISTER.

ARTICLE 13

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ORDINANCES AND DIRECTIVES CONTRASTING WITH THE PROVISIONS
OF THIS REGULATION SHALL BE REPEALED.

ARTICLE 14

THE PRIME MINISTER AND CABINET MINISTERS, EACH IN HIS
OWN JURISDICTION, SHALL ENFORCE THIS ORDINANCE WHICH
SHALL BECOME VALID AS OF DATE OF PUBLICATION. END QUOTE.
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